IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.6880 OF 2004

Ramesh Vitthal Gavade .... Petitioner
Vs.
The Divisional Traffic
Superintendent, MSRT Corporation,
Sindhudurg Division, Kankavali,
Dist: Sindhudurg. .... Respondent

Shri R.L. Majgaonkar for the Petitioner.

Shri G.S. Hegde for the Respondent.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: SEPTEMBER 22, 2004

P.C:

Heard the learned Advocates for the petitioner and the respondent.

The petitioner challenges the concurrent findings arrived at by both the Courts below in relation to rejection of the application for interim relief during the pendency of the complaint under the provisions of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971. Both the Courts have arrived at the finding that prima facie the records disclose that the petitioner is involved in a serious misconduct and the respondent has followed the due process of law for the action taken.

The said finding has been arrived at based on the materials placed on record. Undoubtedly, it is a prima facie finding which is sufficient to justify the rejection of interim relief to the petitioner. The impugned orders do not disclose any illegality or improper exercise of jurisdiction or any arbitrariness on the part of the Courts below in rejecting interim relief to the petitioner. There is no case for interference in writ jurisdiction in the impugned orders. The petition, therefore, is rejected.